

STAT

JOURNAL (ALBUQUERQUE, N.M.)
4 October 1985

Note to Spouse Showed Howard Poised To Flee

STAT

By David Staats
And Leah Beth Ward

OF THE JOURNAL'S CAPITOL BUREAU

SANTA FE — Before he fled New Mexico on the night of Sept. 21, suspected spy and former CIA agent Edward L. Howard left a note for his wife indicating he was in trouble and expected never to see his family again, an FBI affidavit disclosed on Thursday.

In the handwritten note Howard tells Mary, his wife of nine years: "Sell the house, Jeep, etc., and move with one of our parents and be happy," according to the affidavit.

He asks her to tell their 2-year-old son, Lee, that, "I think of him and you each day until I die," according to the affidavit by FBI Special Agent Gerald Brown.

Howard, sought under federal arrest warrants charging conspiracy to deliver national defense secrets to a foreign government and interstate flight to avoid prosecution for a New Mexico probation violation, worked for the Central Intelligence Agency from January 1981 until June 1983, when he showed up in New Mexico. According to Washington news reports he was named as a double agent by Soviet KGB defector Vitaly Yurchenko, who defected to the United States last August in Rome.

A Reuter story on Thursday quoted a Reagan administration official as saying the FBI botched the Howard case by letting him flee before he could be apprehended. "The FBI screwed up by letting this guy slip," said the administration official, who was not named.

But Reuter also quoted anonymous FBI officials who rejected the accusation of a slip-up by saying Howard was only a suspect under loose surveillance before he disappeared.

There were indications, however, that Howard fled because he knew the FBI was closing in on him. Brown says in his affidavit that Howard was interviewed by FBI agents on Sept. 20. And Legislative Finance Committee supervisor Phil Baca said federal investigators came to the LFC office, where Howard was employed, on Sept. 19, asking questions about Howard.

Baca said he found Howard's letter of resignation and the note to Mary Howard on his desk the night of Sunday, Sept. 22. Baca said he called Mary Howard, who picked up the note and her husband's personal belongings on Monday, Sept. 23.

The FBI affidavit says Baca provided the handwritten note to two FBI agents on Sept. 23, but Baca denies this, saying he merely told agents of its existence later. "I gave it to Mary Howard," he said on Thursday.

The affidavit describing the note is attached to a bench warrant for Howard's arrest for "knowingly and unlawfully" fleeing from New Mexico in violation of his probation conditions set after he pleaded guilty to aggravated battery in a February 1984 incident. Howard pulled a .44-caliber revolver on three men in a confrontation on a Santa Fe street on a night during which he admittedly he had been drinking heavily following a fight with his wife. The gun discharged — during a scuffle, Howard said — blowing a hole in the roof of the car in which the men were riding.

The affidavit, dated Sept. 27, was found in an Albuquerque U. S. District Court file on Thursday. Other documents in the Howard case are sealed, according to U. S. District Court clerk Jesse Casaus.

The Associated Press reported Thursday that Howard failed a routine lie detector test given when he left the CIA in June 1983.

Howard told state government associates in Santa Fe that he left the State Department because he didn't want to work in the U.S. embassy in Moscow, where he said he had been assigned. The AP quotes U.S. officials saying Howard was fired from the CIA, but no reason for his dismissal is given.

The FBI affidavit says that Howard had traveled to and from Europe and Mexico in the past, but it does not say why or when. Brown concludes his statement by citing the "gravity" of federal espionage charges against Howard in view of "his training, background and experience."

Howard's travel vouchers submitted in connection with his job as an economic analyst at the LFC indicate no foreign travel. However, his former supervisor at the LFC, Curtis Porter, said Howard did pay his own way to a conference in Milan, Italy, in the fall of 1984. The conference was sponsored by Data Resources Inc., which supplies the LFC with economic forecasting data.

One voucher submitted by Howard in October 1984 shows he took a side trip to Washington, D.C., from Boston, where he and Porter had attended a conference on tax administration.

Howard's travel vouchers also show he attended meetings of at least one other economic development group in Grants.

FBI agents searched Howard's house last Saturday for espionage materials. Asked what agents found, an FBI spokesman in Washington said Thursday: "I cannot respond to that."

Howard is believed to have taken a flight to Austin, Texas, where he had scheduled an official visit to Touche Ross & Co. on Sept. 23. He planned to pay for the airline ticket using a credit card, obtaining reimbursement later, Baca said.

FBI officials declined Thursday to say if they had clues to Howard's whereabouts, but there was speculation that he had gone to Mexico City.

Sen. Pete Domenici, R-N.M., said it is "common knowledge" that the Soviet Union has an "enormous" embassy in Mexico that is thought to be Russia's spy headquarters for the Western Hemisphere. The embassy is a haven for Soviet spies when the Soviets "are getting them out," he said.

An FBI spokesman in Washington wouldn't say whether the agency thinks Howard's alleged spying involved information from New Mexico's national laboratories, information Howard obtained while working for the CIA, or other matters.

"They're investigating every aspect of the case, including whether Howard was a conduit," said U.S. Rep. Ernest Lujan, R-N.M. Lujan, who said he was briefed by FBI officials, speculated that Howard might have conveyed information involving the Sandia and Los Alamos laboratories.

"We would be remiss if we did not check out all possible aspects of an espionage investigation," said Ed Gooderham, special agent in charge of the press office at FBI headquarters.

Gooderham declined comment on reports that Howard had escaped while under surveillance by FBI agents. Rod McHargue, assistant special agent in charge of the FBI's Albuquerque office, did not return telephone calls from the Journal to his office Thursday.

Howard lived two doors down from an FBI agent in the Eldorado subdivision southeast of Santa Fe until about 1½ months ago, when the agent moved away.

Howard had few dealings with Los Alamos National Laboratory or Sandia National Laboratories in his LFC job, said Baca and former LFC Director Curtis Porter, who hired Howard in July 1983.

"Ed would not have had any (dealings) that I know of, and yet he could have met an economist there," Baca said.

"There's nothing in his job that would have given him any possible connection with Los Alamos," Porter said.

However, David Abbey, an economic analyst for the state Department of Finance and Administration, said Howard sometimes consulted Los Alamos personnel on unclassified energy matters. Part of Howard's work involved projections of revenue from oil and gas taxes.

"Ed did not have close dealings with anyone at Los Alamos to my knowledge," Abbey said Wednesday. "He did have professional dealings with staff. I strongly do not believe they involved classified information."

The director of the Los Alamos Economic Development Corp. said Thursday that he and a Los Alamos National Laboratory official lunched with Howard — at Howard's request — on Dec. 19, 1983.

The subject of the luncheon conversation was predictable and ordinary, said Jim Greenwood. He said the meeting included Gene Stark, the lab's assistant director of Industrial and International Initiatives.

"He was interested generally in high tech and economic development in New Mexico and how it would contribute to the state's growth," Greenwood said. He said, given Howard's job as an economic analyst with responsibility for projecting state revenues, the subject matter seemed appropriate.

No specific technologies, projects or processes were discussed, Greenwood said. Howard didn't request a tour of the lab, nor did he ask to meet with specific lab employees involved in technology transfer operations, he added.

"When this news first came out (about Howard) I was concerned about whether we had talked of anything involving security in any way. But looking back, I remember it was a vague luncheon and I even wondered why I attended," Greenwood said.

Stark's office said he wasn't permitted to talk about the luncheon.

The CIA declined to discuss Howard's activities for the agency. "We haven't said a thing," said CIA spokeswoman Patti Volz in Langley, Va.

Porter said he hired Howard after Howard responded to a job advertisement in the Albuquerque Journal. Howard told Porter and others he was leaving a State Department job because the department wanted to send him to Moscow, and he and his wife didn't want to raise their newborn son there.

"He decided he was going to get out of the Washington game and come to New Mexico to live," Porter said.

Porter said no one pressured him to hire Howard, and he did not check Howard's resume or references.

Baca discounted a report that Howard often used pay telephones in the Capitol lobby instead of his office phone. "I never saw him at a pay phone," Baca said.

Morton Simon of Santa Fe this week filed a court motion to withdraw as Howard's lawyer in the 1984 case, saying: "I have no means of contacting the defendant. ... I do not know where he is or will be located, I have received

STAT

no communications from him, and therefore would be unable to represent him."

The motion was granted on Thursday by state District Judge Bruce Kaufman.

Simon told the Journal he last saw Howard sometime during the week of Sept. 16 and declined Howard's request to represent him in what Simon called "a criminal matter" unrelated to the 1984 incident.

Simon, citing attorney-client privilege, declined further comment. Both Santa Fe police and District Attorney Chet Walter said they have no knowledge of any criminal charges against Howard other than the federal espionage charge and the parole-violation charge.

Simon said he was questioned

by the FBI on Sept. 26.

Kaufman confirmed Thursday that Howard underwent treatment for alcoholism with the state's Troubled Employee Assistance Program as part of his probation. The judge, who presided in the case from the start, said Howard successfully completed treatment, which according to court records included psychological evaluation by psychologist Elliot Rapoport of Santa Fe. Rapoport declined comment.

Psychologist Neil Berman of the state program said Thursday federal agents have attempted to contact him but he hasn't talked with them.

With Journal Staff Writers Colleen Heild, Linda Drucker and Paul Wieck.